

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

**United States Steel Corporation – Gary Works  
One North Broadway  
Gary, Indiana 46402-3199**

**Attention:** Kenneth Mentzel, Manager, Environmental Control

**Request to Provide Information Pursuant to the Clean Air Act**

The U.S. Environmental Protection Agency is requiring United States Steel Corporation (U.S. Steel) to submit certain information about its facility in Gary, Indiana. Appendix C specifies the information that you must submit pertaining to your facility. Appendix B contains instructions and definitions that you should use to provide the requested information.

EPA is issuing this information request under section 114(a) of the Clean Air Act (the Act), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

U.S. Steel owns and operates emission sources in Gary, Indiana. EPA is requesting this information to determine whether your emission sources are complying with the Clean Air Act.

You must send all required information to:

Attn: Compliance Tracker, AE-17J  
Air Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency - Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

with a copy of the cover letter to Indiana Department of Environmental Management:

Thomas Easterly, Commissioner  
Indiana Department of Environmental Management  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

Under 40 C.F.R. Part 2, Subpart B, you may assert a claim of business confidentiality for any portion of the submitted information. You must specify the page, paragraph, and sentence when identifying the information subject to your claim. Appendix A specifies the assertion and substantiation requirements for business confidentiality claims.

U.S. Steel must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

EPA may use any information submitted in response to this request in an administrative, civil, or criminal action.

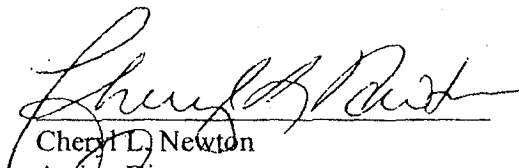
This request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation. To aid in our electronic record keeping efforts, please

provide your response to this request for information without staples. Paper clips and binder clips are acceptable.

Failure to comply fully with this request for information may subject U.S. Steel to an enforcement action under section 113 of the Act, 42 U.S.C. § 7413.

You should direct any questions about this request for information to Brian Dickens at (312) 886-6073.

11/6/08  
Date

  
Cheryl L. Newton  
Acting Director  
Air and Radiation Division

## Appendix A

### **Confidential Business Information (CBI) Assertion and Substantiation Requirements**

#### A. Assertion Requirements

You may assert a business confidentiality claim covering all or part of the information requested in the attached letter, as provided in 40 C.F.R. § 2.203(b). To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document over which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a legend to indicate the intent to claim confidentiality. The stamped or typed legend, or other suitable form of notice, should employ language such as "trade secret" or "proprietary" or "company confidential" and indicate a date if any when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by the EPA only to the extent permitted and by means of the procedures set forth by Section 114(c) of the Clean Air Act (the Act), and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the attached letter as a waiver of that claim, and the information may be made available to the public without further notice to you.

Please segregate personnel, medical and similar files from your responses and include that information on separate sheet(s) marked as "Personal Privacy Information" given that disclosure of such information to the general public may constitute an invasion of privacy.

#### B. Substantiation Requirements

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208 which provides in part that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; and that the information is not and has not been reasonably obtainable by legitimate means without your consent.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking you to substantiate fully your CBI claim. If you receive such a letter, you must provide EPA with a response within the number of days set forth in the EPA request letter. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential. **You must be specific by page, paragraph, and sentence when identifying the information subject to your claim.** Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being

subject to CBI, you must answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Any other issue you deem relevant.

Please note that emission data provided under Section 114 of the Act, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2. "Emission data" means, with reference to any source of emission of any substance into the air-

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including, to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. §§ 2.301(a)(2)(i)(A), (B) and (C).

Emission data includes, but is not limited to, service records stating the amount of refrigerant added to a unit or reclaimed from a unit.

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by, and by means of the procedures set forth in, 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

## Appendix B

When providing the information requested in Appendix C, use the following instructions and definitions.

### INSTRUCTIONS

1. Provide a separate narrative response to each question and subpart of a question set forth in the Information Request.
2. Indicate on each document produced in response to this Information Request, or in some other reasonable manner, the number of the question to which it corresponds.
3. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
4. Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information is not available or in your possession and identify any source that either possesses or is likely to possess such information.

### DEFINITIONS

All terms used in this Request for Information will have their ordinary meaning unless such terms are defined in the Act, 42 U.S.C. §§ 7401 *et. seq.*, 40 C.F.R. Part 52 (which incorporates the Federally-approved Stated Implementation Plan), or other Clean Air Act implementing regulations. Reference is made to the EPA regulatory provisions only; however, you should apply the applicable Federally-approved state provisions when appropriate. Definitional clarification is specified below.

1. The term “capital expenditure,” “capital appropriation,” or “capital project” means a monetary expenditure on depreciable equipment, including any costs to design, engineer, transport, and install said equipment.
2. The terms “document” and “documents” shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any document.

3. The term "capital appropriation request" shall mean the document used by plant personnel in seeking management approval for planned capital expenditures at the facility. These documents are also known as authorizations for expenditure, capital requests or other, similar names.
4. The terms "relate to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.
5. The term "U.S. Steel" shall mean United States Steel Corporation and all subsidiaries and related entities.
6. The term "the present" shall mean the date of receipt of this request.



### Appendix C

Provide the following information using the instructions and definitions provided in Appendix B for U.S. Steel - Gary Works (facility), Gary, Indiana. You must send this information to EPA within thirty (30) calendar days after you receive this request unless otherwise noted below.

1. For Blast Furnace 4, provide the operability each month, which is the number of hours that the furnace was in operation relative to the number of possible hours in one month, from January 1980 through December 2007. Also provide the production (tons of hot metal) from Blast Furnace 4 each month for this time period.
2. For the Blast Furnace 4 reline project in or around 1990, and for any changes made to the furnace proximate to this project (collectively referred to herein as the project), provide a copy of all documents including or related to the following:
  - a. all associated capital appropriation requests and approvals and work orders;
  - b. reports detailing work completed;
  - c. total project cost, including any cost incurred by other owners and/or operators;
  - d. the project completion date;
  - e. the date the unit returned to commercial operation following completion of the capital project;
  - f. cost/benefit analyses;
  - g. all alternative options analyses;
  - h. all calculations associated with the project that were performed for the purpose of quantifying net changes in emissions;
  - i. any engineering analysis or performance tests showing the equipments' performance for the period immediately prior to and immediately following completion of the project; and
  - j. whether the project was associated with a life extension, production increase, efficiency enhancement, stove heating capacity, or reliability improvement.
3. For Blast Furnace 14 (previously Blast Furnace 13 and herein referred to as Blast Furnace 13/14), provide the operability each month, which is the number of hours that the furnace was in operation relative to the number of possible hours in one month, from January 1980 to the present. Also provide the production (tons of hot metal) of Blast Furnace 13/14 each month for this time period.
4. For Blast Furnace 13/14, provide the maximum daily production (tons hot metal) actually achieved each month from January 1980 to the present.

5. Collect samples of the substance (believed to be primarily iron oxide) in the headspace of full and empty torpedo cars and determine the portion of loose dry dust as measured by ASTM C-136.
6. Collect samples of slag at ambient conditions in the Blast Furnace 8 slag pit and determine the portion of loose dry dust as measured by ASTM C-136. If Blast Furnace 8 is not in service for any period of time within two weeks of your receipt of this request, collect samples of slag from another slag pit that U.S. Steel believes would have substantially similar qualities.
7. Provide a list of substances that could be found in the QBOP shop and in Blast Furnace 4, 6, and 8 casthouses that U.S. Steel uses in granulated or powdered form. The list should include, but should not be limited to substances that U.S. Steel receives in bags that are ultimately used for process or maintenance reasons in these locations, and substances used to alter the hot metal's composition in the QBOP shop. For each substance on the list, state whether its portion of loose dry dust as measured by ASTM C-136 is greater than 0.5%. For each substance that U.S. Steel states the portion of loose dry dust is less than 0.5%, provide the laboratory results of the ASTM C-136 test to support that statement.
8. Provide the in-benzene service determinations made for all equipment in the coke oven by-product recovery plant.
9. Provide a process flow diagram or piping and instrumentation diagram that highlights the lines in benzene service identified in Question 8.
10. Specifically for the equipment listed below, provide any in-benzene service determination. If determination made is provided in Question 8, then state that as a response.
  - a. Dist. Sump
  - b. D-6
  - c. T-304C
11. Emissions Testing: U.S. Steel must conduct tests to determine the opacity of particulate matter being emitted to the environment according to the schedule below. Specifically, U.S. Steel must perform the following tests pursuant to 40 C.F.R Part 60, Appendix A, EPA Method 9 for:
  - The #1 BOP shop roof monitor for four consecutive heats, twice per week (eight heats per week) for eight consecutive weeks.
  - The Blast Furnace 4 casthouse roof monitor for a period of 4 consecutive hours (while the furnace is being tapped) twice per week for eight consecutive weeks.
  - The Blast Furnace 8 casthouse roof monitor for a period of 4 consecutive hours (while the furnace is being tapped) twice per week for eight consecutive weeks.

- a. U.S. Steel must begin taking these readings within 2 weeks of receipt of this request.
- b. The results of these readings and any related information must be submitted to EPA within 90 days of receipt of this request.
- c. Readings taken for the BOP shop must span the period of all production events, beginning with scrap charge and continuing through the conclusion of slag dumping.
- d. U.S. Steel must record and submit to EPA any operational practice or parameter that existed during the time of the opacity readings that is different from normal conditions.
- e. The following information shall be recorded and submitted with your response (where applicable):
  1. Which BOP vessel was in operation during the readings;
  2. The time that a tap hole was open and closed during the period readings were taken.

CERTIFICATE OF MAILING


I, Loretta Shaffer, hereby certify that the attached Request for Information Pursuant to the Clean Air Act was sent by Certified Mail, Return Receipt to:

Kenneth Mentzel, Manager, Environmental Control  
United States Steel Corporation - Gary Works  
One North Broadway  
Gary, Indiana 46402-3199

I also certify that a copy of the Request for Information pursuant to the Clean Air Act was sent by First Class Mail to:

Thomas Easterly, Commissioner  
Indiana Department of Environmental Management  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

on the 14 day of NOV 2008.



Loretta Shaffer, Secretary  
AECAS (MN/OH)

Certified Mail Receipt Number: 7001 0330 0006 0185 9778